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EXAMINER	
JACOBS, LASHONDA T	

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/961,290	REICHERT ET AL.	
	Examiner	Art Unit	
	LaShonda T. Jacobs	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 September 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *June 17, 2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This is a Final Office Action in response to Applicants' Amendment/Request for Reconsideration filed on June 23, 2005. Claims 1-16 are presented for further examination.

Affidavits, Declarations

1. The affidavit filed on May 9, 2005 under 37 CFR 1.131 has been considered but is ineffective to overcome the Li et al reference (U.S. Pub. No. 2002/0029226).

2. The affidavit was improperly executed. All applicants are required to sign the declaration as set forth below. A petition under 37 CFR 1.47 should have been filed along with the affidavit. 715.04 [R-2] Who May Make Affidavit or Declaration; Formal Requirements of Affidavits and Declarations

I. >< WHO MAY MAKE AFFIDAVIT OR DECLARATION

The following parties may make an affidavit or declaration under 37 CFR 1.131:

(A) All the inventors of the subject matter claimed.

(B) An affidavit or declaration by less than all named inventors of an application is accepted where it is shown that less than all named inventors of an application invented the subject matter of the claim or claims under rejection. For example, one of two joint inventors is accepted where it is shown that one of the joint inventors is the sole inventor of the claim or claims under rejection.

(C) **> If a petition under 37 CFR 1.47 was granted or the application was accepted under 37 CFR 1.42 or 1.43, the affidavit or declaration may be signed by the 37 CFR 1.47 applicant or the legal representative, where appropriate. <.

(D) The assignee or other party in interest when it is not possible to produce the affidavit or declaration of the inventor. Ex parte Foster, 1903 C.D. 213, 105 O.G. 261 (Comm'r Pat. 1903). Affidavits or declarations to overcome a rejection of a claim or claims must be made by the inventor or inventors of the subject matter of the rejected claim(s), a party qualified under 37 CFR 1.42, 1.43, or 1.47, or the assignee or other party in interest when it is not possible to produce the affidavit or declaration of the inventor(s). Thus, where all of the named inventors of a pending application are not inventors of every claim of the application, any affidavit under 37 CFR 1.131 could be signed by only the inventor(s) of the subject matter of the rejected claims. Further, where it is shown that a joint inventor is deceased, refuses to sign, or is otherwise unavailable, the signatures of the remaining joint inventors are sufficient. However, the affidavit or declaration, even though signed by fewer than all the joint inventors, must show completion of the invention by all of the joint inventors of the subject matter of the claim(s) under rejection. In re Carlson, 79 F.2d 900, 27 USPQ 400 (CCPA 1935).

Information Disclosure Statement

3. The Examiner considered the information disclosure statement (IDS) submitted on June 17, 2004.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: note reference numeral 24 on page 8, paragraph 0023; note reference numeral 219 on page 9, paragraph 0024; note reference numeral 806 on page 9, paragraph 0026 and note reference numeral 302 on page 11, paragraph 0029. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: note reference numeral 250 in Figure 1; note reference numeral 704 in Figure 6 and note reference numeral 972 in Figure 9. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet

submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. The disclosure is objected to because of the following informalities: Figure 2 on page 8 should be Figure 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims **1-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over are Phelan (U.S. Pat. No. 6,240,360) in view of Li et al (hereinafter, "Li", U.S. Pub. No. 2002/0029226).

As per claim **1**, Phelan discloses a system for searching for a selected class of destinations by geographic location comprising:

- a server, said server in communication with a first database containing information relating to electronically displayed maps of regions (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22 and col. 5, lines 4-24), and

- in communication with a second database containing information relating to destinations, said second database containing information relating to a plurality of classes of destinations (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22 and col. 5, lines 4-24), and
- means to provide as an output a display of information in the form of a regional map having a plurality of icons, said regional map provided in response to said input from said input relating to said geographical locations and said icons provided in response to said input relating to said class destinations and said icons located at positions on said map at geographical locations representing the location of said destinations represented by said icon (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22 and col. 5, lines 4-24), and
- said icons further comprising control functions wherein the activation of said control functions provides a new display, said new display containing text-based information, said text-based information comprising information relating to said destination (col. 7, lines 15-31 and lines 36-55).

However, Phelan does not explicitly disclose:

- means to provide input to said server in the form of geographical locations and class destinations, wherein in response from input relating said class destination and input relating to a geographic location.

Li discloses a method and system for combining data with maps comprising:

- means to provide input to said server in the form of geographical locations and class destinations, wherein in response from input relating said class destination and input

relating to a geographic location (paragraphs 0010-0011, 0036-0037, 0056 and 0065-0066).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Li's teachings of a method and system for combining data with maps for the purpose of allowing a client to display data on a map and analyze the data geographically, spatially or merely to provide the client information from certain locations. Which would provide flexibility and speed within the system [see Li, paragraphs 0004-0005]. Thus, Phelan provides the motivation to combine by utilizing a computer system and map server to identify local resources/ map an area of interest to the user [see Phelan, abstract, and col. 2, lines 10-14].

As per claim **2**, Phelan discloses:

- wherein said system is implemented on the Internet and said output is provided in HTTP and said new display comprises a new browser window (col. 1, lines 17-19, col. 7, lines 41-67, col. 8, lines 1-29 and lines 39-45).

As per claim **3**, Phelan discloses:

- wherein said system is implemented on the Internet and said output is provided in HTTP and said new display is revealed by a mouseover (col. 3, lines 61-67, col. 4, lines 1-6 and col. 7, lines 15-25).

As per claim **4**, Phelan discloses:

- wherein said browser window further comprises the presentation of hyperlinks to a new Internet site on the world wide web (col. 3, lines 61-67, col. 4, lines 1-6 and lines 15-23).

As per claim **5**, discloses:

- wherein said destinations are selected from a predetermined list of destination classes (col. 6, lines 12-27 and col. 7, lines 15-31).

As per claim **6**, Phelan discloses a system for the display of text-based information relating to geographical locations by an information provider comprising:

- a program for searching said database based upon said input of destination and geographic input information, a program for correlating and destination information search results and geographic information search results in an output (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22, col. 5, lines 4-24 col. 7, lines 15-31 and lines 41-55),
- said output further comprising a graphic representation of a map containing icons, said icons representing a graphic indicia of said destination search results (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22, col. 5, lines 4-24 col. 7, lines 15-31 and lines 41-55),
- wherein the location of said icons are displayed on said graphic representation of a map at the geographical location of said destination results, said icon further comprising a control function, said control function that can be activated by a user and provide a second output, said second output comprising text-based information relating to the destination represented by said icon (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22, col. 5, lines 4-24 col. 7, lines 15-31 and lines 41-55).

However, Phelan does not explicitly disclose:

- means to provide input to said server in the form of geographical locations and class destinations, wherein in response from input relating said class destination and input relating to a geographic location.

Li discloses a method and system for combining data with maps comprising:

- providing means to received input of geographical and destination information, a database containing data relating to destinations and data relating to the visual representation of geographical locations (paragraphs 0010-0011, 0036-0037, 0056 and 0065-0066).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Li's teachings of a method and system for combining data with maps for the purpose of allowing a client to display data on a map and analyze the data geographically, spatially or merely to provide the client information from certain locations. Which would provide flexibility and speed within the system [see Li, paragraphs 0004-0005]. Thus, Phelan provides the motivation to combine by utilizing a computer system and map server to identify local resources/ map an area of interest to the user [see Phelan, abstract, and col. 2, lines 10-14].

As per claim **7**, Phelan discloses a system for the display of text-based information relating to geographical locations by an information provider on a personal computer comprising:

- a first search program that searches for predetermined destinations within a selected geographical region based upon user input, a first output in the form of graphical display of a first map region containing icons, said icons representing a graphic indicia

of output destinations having geographic locations (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22, col. 5, lines 4-24 col. 7, lines 15-31 and lines 41-55), and

- generated in response to said input relating to destination parameters, and said icon located and displayed on said map at said geographical location of said output destination, and a control function, said control function comprising a moveable search field, said moveable search field comprising a second defined geographic region within said first displayed map region and the location of said field controlled by said user, and in response to the activation of a second program function, text-based information relating to any said icons within a selected search field is displayed (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22, col. 5, lines 4-24 col. 7, lines 15-31 and lines 41-55).

However, Phelan does not explicitly disclose:

- means to provide input to said server in the form of geographical locations and class destinations, wherein in response from input relating said class destination and input relating to a geographic location.

Li discloses a method and system for combining data with maps comprising:

- providing means to receive input relating to geographic region parameters and destination parameters (paragraphs 0010-0011, 0036-0037, 0056 and 0065-0066).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Li's teachings of a method and system for combining data with maps for the purpose of allowing a client to display data on a map and analyze the data geographically, spatially or merely to provide the client information from certain locations.

Which would provide flexibility and speed within the system [see Li, paragraphs 0004-0005]. Thus, Phelan provides the motivation to combine by utilizing a computer system and map server to identify local resources/ map an area of interest to the user [see Phelan, abstract, and col. 2, lines 10-14].

As per claim **8**, Phelan discloses:

- wherein said means to receive input relating to geographical regions and destinations comprises a browser window on client and said client sends over a distributed network to a server that performs said first and said second said search functions on a first and second database, is first database containing and said second database, correlating said server correlates the results of first and said second result and transmit a display in response to said search functions over said distribution network to said client (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22, col. 5, lines 4-24, col. 6, lines 12-27, col. 7, lines 15-31 and lines 41-55).

As per claim **9**, Phelan discloses:

- wherein said destinations are comprised of a set of predetermined classes (col. 4, lines 15-22 and col. 7, lines 19-25).

As per claim **10**, Phelan discloses:

- wherein said text-based information is presented in a predetermined manner based upon a predetermined hierarchy that is implemented by information provider (col. 7, lines 15-31 and lines 41-55).

As per claim **11**, Phelan discloses:

- wherein said predetermined hierarchy comprises preferred destinations selected by the information provider (col. 7, lines 15-31 and lines 41-55).

As per claim **12**, Phelan discloses:

- wherein said hierarchy is determined by proximity to the geographic location input data (col. 6, lines 12-40).

As per claim **13**, Phelan discloses:

- wherein the predetermined hierarchy is based upon alphabetical listing of destinations within said regional (col. 7, lines 15-31 and lines 41-55).

As per claim **14**, Phelan discloses a method for displaying test-based information relating to a particular destination in response to a users search for a destination within a geographic region comprising:

- search a second database for any of the user selected destination classes within said geographic region, correlating said destination results with said regional results, and providing a icon at the said location, correlating said icon with text-based information relating to said icon (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22, col. 5, lines 4-24, col. 6, lines 12-27, col. 7, lines 15-31 and lines 41-55).

However, Phelan does not explicitly disclose:

- means to provide input to said server in the form of geographical locations and class destinations, wherein in response from input relating said class destination and input relating to a geographic location.

Li discloses a method and system for combining data with maps comprising:

- receiving input from a user in the form of geographic and a class destination, searching a first database for an output in the form of a visual geographic display of a map correspondence to said geographic region (paragraphs 0010-0011, 0036-0037, 0056 and 0065-0066).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Li's teachings of a method and system for combining data with maps for the purpose of allowing a client to display data on a map and analyze the data geographically, spatially or merely to provide the client information from certain locations. Which would provide flexibility and speed within the system [see Li, paragraphs 0004-0005]. Thus, Phelan provides the motivation to combine by utilizing a computer system and map server to identify local resources/ map an area of interest to the user [see Phelan, abstract, and col. 2, lines 10-14].

As per claim **15**, Phelan discloses a method of enabling an Intemet user to associate text-based information with an icon representing a destination on an electronically displayed map comprising:

- correlating said input from said third input field to a regional geographic map containing the address provided in said third input field, associating an icon relating to said input from said third input field and in response to a subsequent input of data corresponding to said input data relating to geographic region and destination (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22, col. 5, lines 4-24, col. 6, lines 12-27, col. 7, lines 15-31 and lines 41-55),

- providing an output containing a display of a regional map that includes an icon located at location of the address of said user created destination and said icon containing a function for accessing information that was provided by said user relating to said icon (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22, col. 5, lines 4-24, col. 6, lines 12-27, col. 7, lines 15-31 and lines 41-55).

However, Phelan does not explicitly disclose:

- means to provide input to said server in the form of geographical locations and class destinations, wherein in response from input relating said class destination and input relating to a geographic location.

Li discloses a method and system for combining data with maps comprising:

- a first step of providing a first input field to allow a user to register and therefore gain access to a limited access second input field comprising a selection of a predetermined number of destination classes (paragraphs 0010-0011, 0036-0037, 0056 and 0065-0066),
- in response to the selection of a class destination, providing a third input field for receiving text-based information relating to said destination, said information including the address of said location (paragraphs 0010-0011, 0036-0037, 0056 and 0065-0066).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Li's teachings of a method and system for combining data with maps for the purpose of allowing a client to display data on a map and analyze the data geographically, spatially or merely to provide the client information from certain locations. Which would provide flexibility and speed within the system [see Li, paragraphs 0004-0005].

Thus, Phelan provides the motivation to combine by utilizing a computer system and map server to identify local resources/ map an area of interest to the user [see Phelan, abstract, and col. 2, lines 10-14].

As per claim **16**, Phelan discloses:

- wherein the display of said icon that was originated by said authorized user is limited to a predetermined time period and after the expiration of said predetermined time period, said icon is no longer displayed in response to correlated geographic and destination search inputs (col. 3, lines 36-53, lines 63-67, col. 4, lines 1-6, lines 15-22, col. 5, lines 4-24, col. 6, lines 12-27, col. 7, lines 15-31 and lines 41-55).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 5,852,810 to Sotiroff et al

U.S. Pub. No. 2003/0009458 to Nakano et al

U.S. Pat. No. 6,532,475 to Nakano et al

U.S. Pub. No. 2001/0044803 to Szutu

U.S. Pat. No. 6,493,630 to Ruiz

U.S. Pat. No. 6,516,268 to Ruiz

U.S. Pat. No. 6,148,260 to Musk et al

U.S. Pat. No. 6,054,987 to Richardson

U.S. Pat. No. 5,796,634 to Craport et al

U.S. Pat. No. 6,202,023 to Hancock et al

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs
Examiner
Art Unit 2157

ltj
August 24, 2005

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100